

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-10868 WGY

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FRANK PRUCHNIK

Plaintiff

vs.

ROBERT BUERKLE GmbH & CO.

Defendant

* * * * *

PLAINTIFF, FRANK PRUCHNIK'S MOTION FOR COURT ORDER
APPOINTING INTERNATIONAL PROCESS SERVER

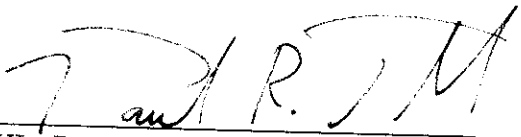
Now comes the Plaintiff, Frank Pruchnik, and hereby requests that the Court issue an Order appointing Crowe Foreign Services as international process server pursuant to Chapter 1, Article 3 of the Convention on the Service Abroad Of Judicial and Extrajudicial Documents in civil or commercial matters developed at the Tenth Session of the Hague Conference on Private International Law on November 15, 1965. As grounds therefore, Plaintiff states as follows:

On April 30, 2004, the Plaintiff filed a Complaint in the U.S. District Court for the District of Massachusetts. The Defendant, Robert Buerkle GmbH & Co., is a German company which does business in Germany with a usual place of business at

Stuttgarter Strasse 123, D-72250, Freudenstadt, Germany. Pursuant to Federal Rules of Civil Procedure 4(d)(2), on June 9, 2004, the Plaintiff served Defendant by first-class mail with a Notice of Lawsuit and Request for Waiver of Service of Summons. The Defendant never responded to Plaintiff's request. Accordingly the Plaintiff has retained Crowe Foreign Services to effect service of the Complaint and Summons on the Defendant in Germany pursuant to the Hague Convention.

Wherefore, the Plaintiff respectfully requests that the Court issue an Order appointing Crowe Foreign Services international process server. The Plaintiff has enclosed a proposed order appointing international process server to the above motion.

Respectfully Submitted,
By Plaintiff's Attorney:



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